

Appeal Decision

Site visit made on 18 October 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th November 2016

Appeal Ref: APP/V1505/W/16/3153026

3 Washington Avenue, Laindon, Basildon SS15 6JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Frederick Johnson against the decision of Basildon District Council.
 - The application Ref 15/01450/FULL, dated 17 November 2015, was refused by notice dated 1 January 2016.
 - The development proposed is described as 'proposed demolition of structurally unsound dwelling and erection of replacement house'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted an additional plan at appeal¹. That plan shows alternative parking arrangements. However, that plan was not consulted upon at planning application stage. I therefore cannot be assured that its consideration as part of this appeal would not prejudice the interests of third parties, particularly as some third parties have raised the issue of parking on the frontage.

Main Issues

3. The effect of the appeal proposal on the character and appearance of the locality and on highway safety.

Reasons

4. The appeal site includes a two storey detached house and garage. It fronts onto Washington Avenue, set behind a deep grassed frontage. It sits within a row of properties of similar scale and bulk with some similarities in materials and design features.
5. The character and appearance of the locality is generally residential, comprising detached and link-detached properties in an estate layout. Although there is some variety in the design, layout and orientation of buildings and some have been altered and extended, there remains some commonality in the age, scale, simple form, detailing and materials of property, along with the gaps between them, such that the locality has a generally cohesive character and appearance.

¹ Ref. J32-2631-PS-001.

6. The proposed dwelling would be significantly larger than others in the locality, such that it would appear out of place. It would have a larger footprint than others and would span nearly the full width of the appeal site, such that it would appear cramped. It would leave a much smaller gap at first floor level between the appeal dwelling and its neighbour at 5 Washington Avenue and thereby diminish the characteristic spacing between dwellings and interrupt the rhythm of this part of the street, which commonly includes dwellings with garages to one side. This matter is unaffected by the proposed roof shape. The proposed dwelling would be higher than the existing house and would include accommodation in the roof, which is not common in this locality. These matters, together with its forward position in relation to its neighbours and increased height, would make it dominant and jar in the street scene.
7. Furthermore, its more complex roof form, including a gable, half hipped feature and a large rear dormer window, which would be visible from Truman Close, would appear out of character when viewed against the simple hips and gables and generally clear roof slopes nearby. The inclusion of an integral garage is not a common feature in this part of the street and adds to my concern in this regard.
8. I have noted that the appeal dwelling would be no higher than No.5 and the additional total height would be confined to the uppermost ridge of the proposed roof. I also acknowledge that the existing dwelling sits forward of its neighbours and that some in the street have a different orientation. I also note that the appeal site has a deeper front garden than No.1. However, none of these matters outweigh my concern for the effect of the appeal on the character and appearance of the locality.
9. I conclude that the appeal proposal would result in significant harm to the character and appearance of the locality and would be contrary to Basildon District Local Plan Saved Policies (2007) (LP) Policy BE12 and Basildon District Council Development Control Guidelines (1993) (Alterations approved 19 March 1997) DC1. These, together, seek to refuse development that would cause material harm to the character of the surrounding area. Furthermore, it would also fail to accord with paragraph 17 of the National Planning Policy Framework (the Framework), which, at bullet point 4, states that planning should always seek to secure high quality design.

Highway Safety

10. Whilst I acknowledge that the appeal proposal would include a wider garage than that which existed previously at the appeal site, that garage no longer exists. As the proposed garage would be narrow, it would not conveniently accommodate a modern car. I accept that some parking could be accommodated on the appeal site's frontage. However, no parking arrangement for the appeal site's frontage is before me. In any event, whether the appeal site's frontage includes highway land or not, it is likely that limited space would be available to park two vehicles conveniently, without compromising the forward visibility along Washington Avenue, to and from Truman Close. Whilst the Council provides limited evidence of its highway safety concern and does not refer to a highway standard, I was able to assess this matter on my site visit. In the absence of evidence that two cars can be parked conveniently on the frontage without compromising highway visibility, I am unconvinced that the appeal proposal would not adversely affect highway

safety. However, in the circumstances of this appeal, this matter is not decisive.

11. As drawing Ref. J32-2631-PS-001 is not a plan under consideration in this appeal, a planning condition to secure that parking arrangement would be inappropriate.
12. Therefore, in conclusion, I am not convinced that the appeal proposal would not adversely affect highway safety and therefore it would fail to accord with LP Policy BE12. That policy seeks to refuse development that would cause traffic danger.

Other Matters

13. I note that the appellant states that the existing dwelling is structurally unsound and that its garage was unstable. However, I have no substantive evidence to this effect. Therefore, I attach limited weight to this matter.
14. I have also taken into account that the proposed dwelling would be wholly detached. However, whilst some prospective occupiers may see this as an advantage, that small benefit would not overcome the significant concerns that I have identified.
15. I have taken into account other development in the locality brought to my attention, including 33 Ford Close. However, none replicate the circumstances of this appeal, in terms of their design, relationship with neighbouring properties and their position in the street.

Conclusion

16. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

R Barrett

INSPECTOR